



# Security Council

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## Report of the Secretary-General on the United Nations Support Mission in Libya

### I. Introduction

1. The present report is submitted pursuant to Security Council resolution 2144 (2014) of 14 March 2014. It covers major political and security developments, provides an overview of the humanitarian and human rights situation, and outlines the activities of the United Nations Support Mission in Libya (UNSMIL) since my report of 5 September 2014 ([S/2014/653](#)).

### II. Political and security-related developments

2. As United Nations and international efforts to facilitate a peaceful resolution to the political and institutional crisis in Libya accelerated during the reporting period, the overall security in the country continued to deteriorate sharply. Armed hostilities spread to the country's north-west, the eastern oil crescent area and the southern region. In the east, fighting intensified in Benghazi, causing the breakdown of much of the city's public services, resulting in severe shortages in the supply of food and medicine. The continued indiscriminate shelling and use of air assets against targets in heavily populated areas and strategic installations across the country underscores the growing plight of the civilian population and the systematic destruction of much of the country's vital infrastructure.

3. The closure of much of Libyan airspace to commercial flights, combined with an escalation in fighting across different parts of the country and diminished State capacity to provide basic services, aggravated the humanitarian crisis triggered over the summer months by the outbreak of violence in July 2014 and the gradual breakdown of law and order across the country. A video released by the Islamic State in Iraq and the Levant (ISIL) showing the mass beheading of 21 men in February, reportedly near Sirte, preceded by a spate of terrorist attacks targeting public buildings and foreign embassies, including those of Algeria, Egypt and the United Arab Emirates, underscored the consolidation of power by extremist and terror-linked groups in the east and their increased visibility in other areas.

#### Institutional crisis and uncertainty

4. On 6 November 2014, the Constitutional Circuit of the Libyan Supreme Court declared the unconstitutionality of paragraph 11 of article 30 of the Constitutional



Declaration. The General National Congress had in March 2014 amended the paragraph in question as part of a set of legislative reforms aimed at addressing growing public concern regarding the tenure of the General National Congress. It was viewed as having paved the way for the June 2014 general elections for the House of Representatives.

5. Reactions by the main political actors to the Supreme Court's ruling appeared to strengthen anxieties regarding parallel legislative and executive bodies. The General National Congress, whose leadership had by then publicly reconvened the parliamentary body in direct challenge to the authority of the House of Representatives, viewed the Court's decision as an endorsement of its continued role in public life. For its part, the House of Representatives rejected the Court's ruling, arguing that it had been made under duress, while also noting that its own legitimacy was not in question given that it was derived from a credible and transparent electoral process which the Libyan High National Elections Commission had overseen and which the international community at large had recognized.

6. The Supreme Court's ruling and its aftermath continued to fuel much of the political crisis during the reporting period. That was clearly reflected in the attempts by both the House of Representatives and the General National Congress to assert control over State institutions and financial resources through legislation and by making key appointments to the Central Bank, the Libyan Investment Authority, the National Oil Corporation and the military.

### **Situation in the west**

7. Following the Libya Dawn coalition's declaration of victory in Tripoli and its environs and the subsequent move by the General National Congress to reassert itself on the political scene, the coalition's leadership announced the appointment of a "government of national salvation". International reactions to the announcement remained largely muted, as Prime Minister Abdallah al-Thinni continued to be regarded as the legitimate Head of Government. In late September 2014, the House of Representatives reconfirmed Mr. Al-Thinni as caretaker Prime Minister, who by then had effectively relocated the seat of Government to the east in view of political and security developments in the capital.

8. Having established control over Tripoli, the Libya Dawn coalition commenced a major military operation in the Warshafana tribal belt area aimed at consolidating its control over the city's outskirts. Weeks of heavy shelling of the Azizya and Suwani areas between late August and early October triggered a severe humanitarian crisis, with at least 120,000 people estimated to have been displaced and acute shortages reported of food and medical supplies. The fighting also resulted in extensive damage to property and civilian infrastructure, including schools, hospitals and clinics.

9. A military counter-offensive by Zintani forces against Kikla and al-Qal'a areas in the Nafusa Mountains, ostensibly launched to thwart a possible advance by the Libya Dawn coalition on Zintan, left more than 170 people dead by the end of November, with hundreds injured and some 5,700 families displaced. Repeated calls by UNSMIL for all parties to cease fighting and allow for the delivery of humanitarian aid went largely unheeded.

10. The reporting period witnessed for the first time the use of air assets against Mitiga International Airport in Tripoli, targets in Misrata and the Ras Jdair border area with Tunisia.

11. Combat operations witnessed a major escalation on 13 December when Misratan armed groups attacked al-Sidra, the country's biggest oil load port. The move signalled the launch of Operation Sunrise, its primary objective being to wrest control of the oil crescent area from the Petroleum Facilities Guard. Both sides have since engaged in deadly clashes, focusing on the Ben Jawwad village area west of al-Sidra. The fighting in the oil crescent area resulted in the closure of al-Sidra and Ras Lanuf oil load ports and the destruction of 7 crude oil storage tanks out of a total of 19, considerably reducing the country's capacity to export crude oil.

12. Attacks on Libyan cultural and religious sites increased during the second half of 2014. The majority of the attacks occurred in Tripoli and its environs. In that regard, the United Nations has repeatedly called for all necessary measures to be put in place to ensure the protection of designated cultural sites, particularly during military operations.

### **The situation in the east**

13. In eastern Libya, fighting intensified between Operation Dignity, whose ranks largely comprise elements of the Libyan army and other forces loyal to General Khalifa Haftar, and the Benghazi Revolutionaries Shura Council, a coalition of Islamist revolutionary brigades, which includes Ansar al-Sharia. The latter had brought large swathes of Benghazi under its control by mid-September 2014, but proved unable to take over Benina Airport to the east of the city. On 15 October, General Haftar's forces launched a new offensive and asserted control over a number of eastern and central neighbourhoods of the city.

14. In the absence of clear front lines, the fighting in Benghazi relied heavily on snipers, mortar fire, skirmishes and ambushes. Civilians increasingly joined the fighting on both sides, sparking cycles of revenge between families. Despite their systematic resort to airstrikes, artillery fire and tanks, forces operating under the banner of Operation Dignity were unable to take full control of the city, in large part owing to stiff resistance by the Benghazi Revolutionaries Shura Council. The latter had also made use of suicide attacks, including twin car bombs targeting Benina Airport on 2 October, which killed 24 people. In a separate incident, a car bomb detonated by unknown perpetrators opposite the Tibesti hotel in Benghazi on 10 October reportedly killed four people.

15. Efforts to negotiate a ceasefire in Benghazi have met with little success. On 19 November, my Special Representative for Libya announced that the different parties to the conflict in the city had agreed to a 12-hour unconditional truce to facilitate passage of humanitarian assistance. It was only partially implemented and both parties blamed each other for breaching the truce. Despite its announcement of a ceasefire on 18 January 2015, the Libyan National Army made it clear that the measure did not apply to operations targeting "terrorists" in Benghazi, where fighting continued unabated.

16. In Derna, the Shura Council of Islamic Youth pledged allegiance on 3 October 2014 to ISIL. On 4 and 5 October, it reportedly conducted military parades in the city in which it displayed the ISIL flag. It also declared support for the

establishment of an Islamic caliphate state. While not all Islamist brigades in Derna have publicly subscribed to that goal, the Shura Council of Islamic Youth has since taken steps to assert full control over the city, including through the establishment of sharia courts and religious police patrols.

17. Bombings, assassinations and other killings believed to be associated with Islamist extremists in the east increased during the reporting period. In November, Libyan army positions and governmental installations in Marj, al-Mekhili, Tobruk and al-Abraq Airport were bombed in separate attacks. On 11 November, three Libyan human rights activists and an Operation Dignity soldier were reported beheaded by suspected Islamists in Derna. On 30 December, a car bomb detonated in front of the Dar al-Salam hotel in Tobruk, where the House of Representatives was in session. There were no fatalities, although three parliamentarians were reportedly wounded in the attack.

18. Fighting between Libyan National Army units and Islamist militants in and around Derna also increased during the reporting period. On 4 January 2015, a Libyan National Army airstrike hit a Greek-owned, Liberian-flagged oil tanker, which was anchored off the coast, after its crew reportedly refused to heed orders for a stop and search operation. Two crewmen, a Greek and a Romanian, were killed. Greece condemned the attack and vowed to hold those responsible for the deaths accountable. For its part, the shipping company rejected Libyan military accusations that its movements had aroused suspicion, insisting that the ship was delivering fuel to industrial facilities in Derna and that the authorities had been kept informed. On 10 January, fighting west of Derna reportedly killed five Libyan National Army troops and four members of the recently formed Derna Shura Mujahideen Council.

19. The mass beheading of 21 people by ISIL, 20 of whom were Egyptian Coptic Christians, triggered a military response from Egypt. On 16 February, a day after ISIL released the video showing the brutal killings, Egyptian fighter jets launched a wave of airstrikes against targets associated with Islamist groups. The Egyptian military stated it had targeted ISIL camps, training sites and weapons storage areas. A number of civilians were reportedly killed in the attacks.

### **Southern Libya**

20. The military conflict between the Libya Dawn coalition and Operation Dignity forces continued to have a spillover effect in southern Libya, particularly by fuelling tribal tensions between the Tabu and Tuareg communities. That culminated in the struggle by armed groups on both sides for control of a number of key oilfields in the southern region.

21. In Awbari, intermittent clashes took place between Tuar and Tabu armed groups following attempts by Tuareg militias to take control of a number of strategic facilities in the area, including the city's airport and the nearby Sharara oilfield. The fighting resulted in the displacement of some 24,500 people, most of whom were subsequently hosted by communities in Brak al-Shati, Ghat, Murzuq and Sabha. There has also been increasing evidence of growing mobilization by both Tabu and Tuareg armed groups in the area.

22. Incidents of random kidnapping, murder and robbery remained prevalent in Sabha, as tensions escalated between various tribal groups, namely Awlad Suleiman,

Qadhahifa and Tabu. Attempts by the Libyan authorities to reconcile the communities proved unsuccessful.

23. An attack by a group of armed men on a military checkpoint in the Jufra area on 2 January 2015 left at least 17 guards dead. The Fazzan branch of ISIL was blamed for the attack, as well as for an assault on a military headquarters in the area the same day.

### **Humanitarian impact**

24. The humanitarian situation in Libya deteriorated markedly during the reporting period. Approximately 400,000 people are estimated to be internally displaced, of whom 360,000 were displaced as a result of the fighting that began in July 2014. Many have been displaced more than once as they moved from one location to another to escape the widening scope of the conflict. In addition, Libya continues to host some 37,000 refugees and asylum seekers of different nationalities, many of whom are living in precarious conditions.

25. In western Libya, UNSMIL estimates that armed hostilities in the Warshafana tribal belt area left approximately 100 dead, 500 injured and 120,000 displaced. The siege by Zintani forces of the towns of Kikla and al-Qal'a in the Nafusa Mountains reportedly left more than 170 dead and displaced more than 5,700 families. In the south, some 140 were reportedly killed in intertribal clashes in Awbari.

26. In the east, more than half of Benghazi's population is estimated to have left to escape the fighting. An estimated 450 people were killed in fighting between October and December. Much of the city's basic infrastructure is believed to have sustained considerable damage. Access to medical care remains a major problem in many areas of the city. A number of hospitals were shelled during the fighting, including the Benghazi Medical Centre and the Jumhuriya Hospital. Armed groups also occupied a number of other medical facilities, among them the Hawari General Hospital. The failure by the warring parties to respect their obligations under international humanitarian law to protect civilians and allow and facilitate humanitarian access, including through the establishment of secure corridors for the delivery of urgent humanitarian assistance, has contributed directly to the aggravation of the humanitarian crisis.

27. The escalation in fighting has had a disproportionate impact on children across Libya. While some schools sustained serious damage as a result of shelling, others were reportedly used as bases by parties to the conflict during combat operations in the Warshafana tribal belt area and the Nafusa Mountains. A number of schools in Benghazi, Tobruk, Tripoli and elsewhere were converted into makeshift shelters for internally displaced persons. Explosive remnants of war remain a major hazard for children.

28. Deteriorating security conditions in Awbari, Benghazi, Ghat, a number of areas in the Nafusa Mountains and other areas of conflict rendered them largely inaccessible to the humanitarian community, including United Nations staff, consequently limiting options for a comprehensive needs assessment and the delivery of humanitarian assistance. Efforts to respond to the humanitarian crisis in Libya are also seriously impeded by the lack of structural capacity on the part of national authorities to provide assistance or financial contributions, as well as by recent moves by neighbouring countries to close or restrict border crossings.

**Good offices of the United Nations Support Mission in Libya**

29. Throughout the reporting period, my Special Representative remained actively engaged in efforts to facilitate a peaceful resolution to the country's political and institutional crisis, and to bring an end to the armed conflict. While those efforts were initially focused on addressing political disagreements within the House of Representatives regarding procedural issues and the handover of power from the General National Congress, the Supreme Court's ruling of 6 November 2014 necessitated an adjustment of the Mission's good offices approach so as to take into account growing concern regarding the possibility of parallel legislative and executive bodies becoming entrenched in the Libyan political landscape.

30. In a symbolic breakthrough, on 29 September, parliamentarians from both sides of the divide within the House of Representatives, including a number of members who had boycotted parliamentary sessions in Tobruk, attended direct face-to-face talks in Ghadames. The meeting, which was presided over by my Special Representative, concluded with a public commitment to convene a second round of talks to address all outstanding differences between the two parliamentary camps. Both sides committed themselves to seek a solution within the framework of a political process and called for an immediate nationwide ceasefire.

31. By way of confidence-building measures, participants in the Ghadames talks agreed to work together to address urgent humanitarian needs, in particular those related to people wounded in the conflict. They also pledged to facilitate, with United Nations assistance, the resumption of the normal functioning of all the country's major airports.

32. In an unannounced visit to Tripoli on 11 October, I addressed the second round of talks between both camps within the House of Representatives. The event marked the first time in which parliamentary members sitting in Tobruk had come to the capital in a formal capacity. Underlining the commitment of the United Nations and the international community to the democratic transition of Libya, I stressed that military means could not solve the country's political and institutional crisis, and that a viable solution should be sought through peaceful dialogue.

33. In the wake of the Supreme Court's ruling on 6 November and the deepening political and institutional crisis resulting from it, my Special Representative proceeded to undertake new rounds of extensive consultations with all the different stakeholders in Libya, and with relevant regional and international actors, with the aim of encouraging a return to the negotiating table and consensus on a framework for moving the dialogue process forward.

34. A two-day UNSMIL-facilitated Libyan dialogue session, which commenced at the United Nations Office at Geneva on 14 January 2015, marked a major breakthrough and paved the way towards a series of talks held during January and February that encompassed several tracks. Among them was a political track focused primarily on reaching agreement on stabilizing the security situation in the country, appointing a national unity government and operationalizing confidence-building measures intended to create a more conducive environment for dialogue and to alleviate the suffering of the population. In particular, participants emphasized the need to address urgent human rights issues and humanitarian needs as well as to facilitate the movement of people and goods, including through the opening of airports.

35. In a positive development following the first round of talks in Geneva, the Libya Dawn and Sunrise military commands announced a unilateral ceasefire. Similarly, two days later, the Army Chief of General Staff issued a statement committing Operation Dignity forces to a ceasefire. It is expected that the announcements will form the basis for a more comprehensive and formal cessation of hostilities between the two sides in due course.

36. Representatives of municipal and local councils convened on 28 and 29 January, and additional tracks are envisioned to involve leaders of armed groups, representatives from the main political parties and social and tribal leaders.

37. In a significant gesture of goodwill announced at the conclusion of municipal and local council talks in Geneva on 29 January, representatives from Misrata and Tawergha agreed to establish a mechanism that would allow the Tawergha community improved access to Tawerghan detainees held by Misrata. The agreement also underscored the Tawerghan community's right of return to their hometown following their displacement during the armed conflict of 2011.

### **Constitution drafting process**

38. Throughout the reporting period, the Constitution Drafting Assembly continued to push forward with its work relatively insulated from the country's ongoing political and military crises. The current political impasse has, however, placed the Assembly under considerable pressure to produce a draft text to put to a referendum quickly.

39. On 24 December 2014, the Constitution Drafting Assembly publicly released draft texts prepared by each of its eight substantive committees. The drafts appeared intended to serve as the basis for a new round of discussions with the Libyan public, which could then inform further development and revision of the text.

40. The timeline for the approval of a final draft constitutional text and the conduct of the constitutional referendum remains unclear. As yet there has been no formal discussion of a comprehensive draft.

41. Members of the Constitution Drafting Assembly appeared increasingly aware of the difficulty of their mandate and the limitations on their capacity. At the Assembly's request, UNSMIL and the United Nations Development Programme (UNDP) organized workshops on multilevel governance and financial systems in November. In response to requests for additional support, UNSMIL, UNDP and the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women) organized a workshop to bring together women civil society representatives, members of the House of Representatives and Constitution Drafting Assembly members. While other international partners have provided training programmes and assistance, UNSMIL continues to serve as the coordinating body and primary liaison for the international community to the Constitution Drafting Assembly.

### **III. Other activities of the United Nations Support Mission in Libya**

#### **A. Electoral support**

42. The precarious political and security situation during the reporting period prevented Libyan electoral actors from moving forward with preparations for the constitutional referendum in a meaningful way. As such, efforts shifted to strengthening Libyan legislation, policies, processes and institutional capacity to facilitate a rapid response should an election be called.

43. UNSMIL and UNDP continued to support the High National Election Commission and other electoral actors during the reporting period through technical assistance, professional development opportunities and facilitating dialogue between Libyan electoral stakeholders. UNSMIL and UNDP organized eight events on electoral topics during the reporting period. They also facilitated observation of the Tunisian presidential elections by 30 members of the Commission.

44. The increasingly polarized political environment has rendered it difficult for electoral actors in Libya to maintain their impartiality and operating capacity. In particular, the High National Election Commission has come under increasing pressure to demonstrate loyalty to the two opposing political camps led by the House of Representatives and the General National Congress. Members of the international community have continued to underscore and support the impartiality and independence of all electoral institutions.

#### **B. Human rights, transitional justice and rule of law**

45. The human rights environment in Libya deteriorated sharply during the reporting period. Fighting between armed groups resulted in violations of international human rights and humanitarian law and serious abuses of human rights, including the reported indiscriminate shelling of civilian areas, the abduction of civilians, unlawful killings, arbitrary executions, torture and other ill-treatment and the deliberate destruction of property. The lack of training and discipline among many of the fighters, coupled with the unreliability of their weapons, has contributed to the indiscriminate nature of the fighting.

46. During the Libya Dawn offensive into the Warshafana tribal belt area during September 2014, the warring sides were reported to have engaged in abductions, detentions and the torture of civilians, as well as indiscriminate shelling that damaged schools, hospitals and other facilities. Operation Libya Dawn also extensively targeted homes, farms and shops.

47. UNSMIL also received numerous reports of indiscriminate shelling by both sides during the fighting in Benghazi, as well as of the deliberate destruction of homes and other property by armed elements aligned with Operation Dignity.

48. The outbreak of violence in Tripoli and Benghazi resulted in the displacement on multiple occasions of many members of the Tawerghan community, who had already been displaced from their hometown during the conflict in 2011. By the end of December 2014, approximately 1,144 Tawerghan families were displaced from

five camps in Benghazi. Many are currently housed in schools, rented homes or other public facilities in Benghazi, Ajdabiya and other places.

49. The situation of migrants, refugees and asylum seekers, which was already of serious concern before the outbreak of violence in July, deteriorated further during the reporting period as a result of the fighting. Many faced arbitrary detention and abusive detention conditions, particularly those from sub-Saharan Africa. The number of sea crossings towards Europe from Libya during 2014 has far exceeded those of any other year. The Office of the United Nations High Commissioner for Refugees (UNHCR) estimates that, out of the 170,100 persons who arrived in Italy between January and December 2014, approximately 141,000 departed from Libya, while some 3,300 are known to have drowned at sea and an unknown number have gone missing. Of those who arrived in Italy between September and December, some 48,800 departed from Libya.

50. Attacks on women activists increased during the reporting period, with many having to flee Libya after threats against them or their children. One activist reported that she had received several telephone calls from armed groups warning that if she continued writing on women's rights, she and her children would be killed. She and her family have since left the country. Another who had taken part in a public debate on women's rights received anonymous telephone calls and text messages warning that she would be abducted and killed.

51. Freedom of expression and assembly came under intense attack during the reporting period. Deepening political polarization generated a climate of fear in which people have become increasingly reluctant to discuss violations and abuses. Media professionals and facilities have also been targeted, with several journalists abducted or killed, including Al-Tayeb Issa and Mutassim al-Warfali in October. Scores of human rights defenders have fled the country.

52. In mid-October, the National Council for Civil Liberties and Human Rights received a number of threats from individuals claiming to be affiliated with the Libya Dawn coalition. In late November, the Council's premises in Tripoli were forcibly shut down.

53. The reporting period witnessed a number of attacks targeting Egyptian Copts. On 23 December, a couple was killed at their home in Sirte, allegedly by Ansar al-Sharia elements. Their 13-year-old daughter was abducted and found dead the following day. On 29 December, seven others were reportedly abducted while en route to the Egyptian border. On 3 January 2015, armed militants abducted 16 Copts in Sirte. They were among the 21 people seen beheaded in a video clip released by ISIL on 15 February. The fate of seven other Egyptian Coptic Christians abducted by armed groups in separate incidents from the vicinities of Sirte and Misrata between August and September 2014 remains unknown.

54. Attacks against religious sites were also reported, with several in Tripoli reportedly vandalized by armed elements. They include the Othman Pasha madrasa and the Karamanli, Shaib al-'Ain, al-Manara al-Jafariya and Shari' Mizran mosques. A group reportedly attempted to attack the Darghouth mosque several times, but were repelled by men from the area.

### **Abductions, torture and killings**

55. Fighting in Libya was accompanied by reports of systematic abductions, detentions, torture and executions by all sides to the conflict. In the west, armed groups, whether affiliated with the Libya Dawn coalition, Warshafana or Zintan, all committed abductions in the aftermath of the fighting in Tripoli as well as during the Warshafana conflict. Many remained in captivity until exchanged for other abductees. UNSMIL also received several reports of torture and deaths in custody associated with the Warshafana conflict. In the east, armed groups affiliated with Operation Dignity abducted dozens, some of whom were allegedly beaten with sticks, hoses and rifle-butts while in detention.

56. UNSMIL also documented several cases of deaths in custody and extrajudicial killings during the reporting period. Known activists Tawfik Bensaud, aged 18, and Sami al-Kawafi, aged 17, were among 10 people killed in Benghazi on 19 September 2014. In Derna, lawyer Osama al-Mansuri was killed on 6 October, in apparent retaliation for his criticism of a declaration by local armed groups in which they pledged allegiance to ISIL. In mid-November, a source claiming to be associated with the terrorist Ansar al-Sharia group posted an online video appearing to show the beheading of an Operation Dignity fighter, Ahmed Muftah al-Nazih.

### **Judiciary and penal system**

57. The continued fighting across many parts of the country placed further pressure on a judicial system already battered by a string of attacks targeting judges and prosecutors. Official courts remain non-operational in Benghazi, Derna and Sirte. In Derna, sharia courts have reportedly been established outside the scope of State authority.

58. In a context involving rising numbers of conflict-related detainees and detainees outside the control of the judicial police, reports of human rights violations in Libyan prisons increased during the reporting period. UNSMIL received reports of beatings, torture and other ill treatment in the Jawiya Institution for Correction and Rehabilitation in Misrata, as well as in the Abu Salim and Mitiga detention centres in Tripoli. In October 2014, UNSMIL visited the two facilities in Tripoli and the Hadhba detention centre located in the city, but was prevented from meeting with detainees in confidence. On 22 October, the Benghazi Revolutionaries Shura Council reportedly moved more than 130 inmates from the Buhdeima military prison to an unknown location and declared that they would be tried under sharia law.

### **Trials of officials of the former regime**

59. The trial of Saif al-Islam Qadhafi, Abdullah al-Senussi and 35 other former regime officials before the Tripoli Court of Assize, which was suspended during the fighting in Tripoli, resumed in October 2014. Mr. Qadhafi remained in detention in Zintan, and had not participated in trial sessions via video link since their resumption. Eight defendants previously held in Misrata were moved to Tripoli in November.

60. The trial risks falling short of international standards in part because of the accelerated pace at which it is proceeding. The prosecution presented its case in less than one hour, without calling any witnesses. The court has asked defence lawyers

to present their case while apparently limiting them to two or three witnesses per defendant. Despite obtaining copies of case materials after some delays, the lawyers reported difficulties in meeting clients in private. Defence lawyers for both Mr. Al-Senussi and Mr. Qadhafi have changed several times.

61. In December, the Pre-Trial Chamber of the International Criminal Court found that Libya had failed to surrender Mr. Qadhafi to the Court, and referred the matter to the United Nations Security Council. Both Mr. Qadhafi and Mr. Al-Senussi have been unable to access legal counsel representing them before the International Criminal Court.

## C. Security sector

### **Border security**

62. The conflict in Libya has left its security institutions with little or no capacity to secure the country's borders, giving rise to increased opportunities for the movement of extremist groups, transnational organized crime and illegal smuggling of migrants. Fighting between Libyan factions has also sparked several incidents at or close to border crossing points, most notably attacks on the Ras Jdair border area between Libya and Tunisia.

### **Arms and ammunition management**

63. The United Nations Mine Action Service maintained a presence in Libya until the end of November 2014, but has since evacuated its international staff owing to deteriorating security conditions. UNSMIL and the Mine Action Service continued to convene monthly international coordination meetings throughout the reporting period in order to facilitate international efforts to support arms and ammunition management in Libya. UNSMIL and the Mine Action Service also supported humanitarian mine action by the Libyan Mine Action Centre, as it oversaw the removal and disposal of 20 tonnes of explosive remnants of war and unexploded ordnance from Tripoli and the surrounding area. The Mine Action Service also advised the Libyan Mine Action Centre on emergency risk education and the creation of a hotline for civilians, which received more than 700 calls in its first 20 days.

### **Defence sector reform**

64. UNSMIL discontinued its defence sector reform support to the Ministry of Defence and the Libyan Armed Forces in the light of political and security developments, and has retasked staff and resources to support the political dialogue process. The Mission's defence sector reform staff are currently focused on engaging national security forces and armed groups to encourage their participation in the dialogue process, and in ongoing preparatory work on new security arrangements, including ceasefire implementation, monitoring mechanisms and the withdrawal of armed groups from towns and cities across Libya.

65. UNSMIL continues to convene regular international coordination meetings on Libyan defence sector reform in Tunis, and has maintained a good working relationship with Libyan counterparts in the national security forces and various armed groups.

#### **Police reform**

66. UNSMIL has similarly retasked its remaining police reform staff and resources to support the political dialogue process, largely focusing on engaging the Ministry of Interior, police and armed groups.

### **D. Coordination of international assistance**

67. During the reporting period, UNSMIL continued to coordinate international assistance to Libya, including by chairing a number of international coordination groups in the areas of security, human rights, elections, the constitution and women's empowerment.

### **E. Humanitarian situation**

68. Notwithstanding security considerations, the United Nations country team continued to provide humanitarian assistance wherever possible, working in close coordination with the Libyan Red Crescent Society, Libyan non-governmental organizations and other national partners, including the Libyan Crisis Committees. During the reporting period, the World Food Programme delivered more than 500 metric tons of food and the International Organization for Migration, along with UNHCR, provided non-food items to the internally displaced, migrants and refugees. The United Nations country team organized a number of capacity-development activities outside Libya focused on national data collection and analysis.

69. On 19 September 2014, the humanitarian country team launched the Libya Humanitarian Appeal, with its main focus on food, health and protection. Although some Member States initially expressed interest in providing funding, the response to date has fallen considerably short of the \$35,250,000 requested. The lack of adequate funding is likely to have an adverse impact on the ability of United Nations funds, programmes and agencies to deliver on growing humanitarian demands, as well as on efforts under way towards the implementation of confidence-building measures. Separately, the decision by the Central Emergency Response Fund to allocate \$4,861,508 constituted an important step towards addressing immediate humanitarian needs.

## **IV. Deployment of the United Nations Support Mission in Libya**

70. As at January 2015, a total of 238 UNSMIL international and national staff members and Government-provided personnel were deployed. Of those, 80 national staff members remain in Tripoli, while among the international component 59 were relocated to Tunis, 45 to Zarzis and 36 to Brindisi. In addition, UNSMIL has three staff members at Headquarters and 15 at the Global Service Centre in Brindisi.

71. Pursuant to my request to the Secretariat to conduct a review of the United Nations presence in Libya, the Department of Political Affairs of the Secretariat, in coordination with the inter-agency task force for Libya, conducted a strategic assessment aimed at providing the Security Council with recommendations for the realignment of the United Nations presence in the country for the next 12 to

24 months. As part of that process, a strategic assessment mission deployed to Tunis from 7 to 13 January 2015, and met with a range of Libyan actors as well as international partners, UNSMIL and Country Team leadership. On 13 February, I submitted a special report to the Security Council outlining the key findings and recommendations of the strategic assessment.

## V. Safety and security

72. The overall security situation in Libya remains highly volatile and unpredictable, and there has been a sharp military escalation across different parts of the country. Major security challenges include consistent and serious security incidents involving acts of armed conflict and terrorism throughout the country.

73. A spate of security incidents targeting the international community during the reporting period prompted the closure of almost all embassies in Tripoli. Attacks and threats against the diplomatic community and different United Nations premises included the detonation of car bombs near the embassies of Egypt and the United Arab Emirates on 13 November 2014, followed by another attack on the Algerian embassy on 17 January 2015. The headquarters of the Libyan Diplomatic Police Department, responsible for protecting foreign missions, was targeted by a car bomb on 27 December. An attack by unidentified gunmen on members of the Diplomatic Police stationed outside the UNDP office in Tripoli on 23 January resulted in the death of one police officer.

74. A terrorist attack on the Corinthia hotel in Tripoli on 28 January left at least eight people dead, including five foreign citizens. Militants claiming allegiance to ISIL claimed responsibility for the attack, reportedly in retaliation for the death of Nazih al-Regaei, also known as Abu Anas al-Liby, who was abducted from Libya by commandos from the United States of America in October 2013 and died in United States custody on 2 January 2015. The hotel attack marks the first operation targeting a location known to be frequently used by foreign diplomats and companies, Government officials and United Nations staff.

75. On 9 November 2014, two car bombs detonated in al-Baida, near where my Special Representative was meeting with Prime Minister Al-Thinni. On 24 November, a group of approximately 150 demonstrators gathered outside the UNSMIL compound in Tripoli, demanding my Special Representative's departure from Libya. The demonstration quickly developed into a potentially threatening situation, but was eventually defused without serious incident. Later that day, forces associated with Operation Dignity launched an airstrike on Mitiga Airport in Tripoli, prompting the United Nations to evacuate all remaining international staff from Tripoli to Tunisia on 25 November.

## VI. Financial aspects

76. Pending clarity on UNSMIL operations in Libya owing to the deteriorating political and security situation in the country, interim funding in the amount of \$31,430,300, representing a technical rollover of 50 per cent of the level of the projected expenditures during 2014, was approved for the period from 1 January to 30 June 2015 by the General Assembly in its resolution 69/262. A detailed budget

proposal for 2015, incorporating fully any decisions taken by the Security Council, will be prepared for consideration by the Assembly during the second resumed part of the sixty-ninth session.

## VII. Observations and recommendations

77. Four years since the start of the revolution on 17 February 2011, the country's faltering political process has brought Libya dangerously close to the brink of all-out civil war. The continued presence and consolidation of parallel executive and legislative bodies has contributed to the further weakening of the Libyan State and its social fabric.

78. Notwithstanding the grim realities that now confront the Libyan people in their daily lives, the start of the Libyan political dialogue process facilitated by my Special Representative is a reassuring sign that the country's leaders are showing commitment to finding a peaceful resolution to their country's political crisis and military conflict. In view of the heavy legacy bequeathed to the country following decades of authoritarian rule, the deep sense of mistrust among the parties and the myriad of challenges confronting the transition, it is likely that a meaningful and genuine dialogue process will be complex and fraught with difficulty.

79. Nonetheless, the country's leaders must be mindful that the alternative to political dialogue is protracted violence and political upheaval that will only serve to undermine their country's national unity and territorial integrity. I take this opportunity to remind them that the crisis in Libya is primarily political in nature, and that the solution can only be attained through dialogue and compromise.

80. The Libyan parties must also understand and accept that engaging in the dialogue process entails a commitment to uphold its outcomes and to return to the political process and the path of democratic transition. I therefore urge all parties and stakeholders in Libya to approach the dialogue process in good faith and in the spirit of compromise that will spare the Libyan people further bloodshed and strife. The Libyan people will accept nothing less.

81. The United Nations and its international partners remain committed to assist the democratic transition of Libya. I take this opportunity to express appreciation to Member States that have committed resources in support of the Libyan political dialogue and to call on all regional and international actors to lend their unequivocal support to the process under way. None can afford to see Libya descend into further chaos and violence; Libyan stability remains integral to that of its neighbours, and the wider region.

82. While underscoring the need for a political solution to the country's problems, it must be recognized that the objective cannot be attained without finding durable solutions to the long-standing issues regarding the proliferation of arms outside State control, and of armed groups that now wield considerable influence over the political process. Progress on those fronts will require major security sector reform that meets international standards, and the integration of combatants into the police and armed forces or reintegration into civilian life.

83. Against the backdrop of continued political and military upheaval, I am deeply alarmed by the growing influence of terrorist groups in Libya, particularly that of ISIL. As appalling as they may be, the terrorist attacks and other acts of savagery

witnessed in Tripoli and other parts of the country are only a forewarning of what those groups are capable of wreaking, and of the imminent danger they pose to Libyan society and people.

84. Political divisions and disagreements should not be allowed to distract from or undermine the collective responsibility which Libyan leaders from across the political and military spectrum share in addressing the growing threat of terrorism and of radical jihadist groups that have sworn allegiance to groups that have come to symbolize brutality and barbarity at their worst. The continued failure to stem the military conflict and bring an end to the political turmoil provides a breeding ground for those movements to flourish and consolidate their presence and operations. None of the parties in Libya should be under any illusion as to what those extremist groups ultimately strive for: the systematic destruction of all symbols of the modern State and its institutions, the abandonment of any notion of democratic transition or State-building and the creation of a political system that breeds violence and fear.

85. In that regard, I urge all stakeholders in Libya to exert every effort towards overcoming their political differences and disagreements and to find a way out of the political crisis that has engulfed the country over much of the past year. I also remind all parties that the fight against terrorism is a collective responsibility, and that it must be led by the State on the basis of a broad national consensus. For its part, the United Nations and the international community stand ready and committed to assist the Libyan State and people in combating groups that are intent on spreading a culture of chaos, violence and extremism across Libya and beyond.

86. The humanitarian situation resulting from the conflict in Libya and the increasing inability of the State to meet the basic needs of the population is adding further to the hardship being endured by the Libyan people. Of equal concern is the burgeoning crisis of governance at all levels of the State, evident also in the difficulties and challenges confronting municipal and local councils as they strive to meet the needs of their constituents, including those displaced by the conflict and who have sought refuge in host communities. I also take the present opportunity to reiterate earlier calls for Member States to redouble their efforts towards mobilizing additional resources in support of the Libya Humanitarian Appeal. That will be key to enabling the United Nations to urgently address the humanitarian needs of the Libyan people.

87. The dramatic escalation in fighting and related abuses of international human rights and humanitarian law during the reporting period is a cause for deep concern. The Libyan authorities must hold accountable, in accordance with international standards, all parties responsible for serious violations and abuses of international human rights and humanitarian law regardless of affiliation. Leaders should declare publicly that such violations will not be tolerated and that those committing them will be removed from active duty and held accountable. Detained persons should be treated humanely and released or handed over to the justice system. All hostages should be released immediately. Armed groups must also account for the fate of those detained and under their control who are presumed missing.

88. I am encouraged by the continued progress in the work of the Constitution Drafting Assembly despite the difficult political and security circumstances under which it is operating. In view of the key role that the Constitution will have as the linchpin of a modern democratic Libyan state, I call on all the parties in Libya not

to take any action that could jeopardize the constitution drafting process. While the United Nations and the international community will spare no effort in providing the necessary technical assistance, it is vital that the Constitution Drafting Assembly expedite its efforts to complete its work within clear timelines.

89. In February, I submitted to the Security Council a report on the future of the United Nations presence in Libya ([S/2015/113](#)). The report covers the main findings of a review led by the Secretariat and recommendations for the reconfiguration of the United Nations presence in Libya to adjust to the new realities on the ground. I identified five priorities for United Nations engagement in Libya: support to the political process, protection, support to key institutions, support for the provision of essential services and coordination. While I recommended against the full return of the United Nations to Libya, I noted the need for a limited but continuous footprint in the country of about 15 to 20 substantive staff from across the United Nations family. I trust my report was useful to the Security Council in crafting a new mandate for UNSMIL focused on the priorities listed above.

90. Finally, I wish to extend my sincere appreciation to the staff of UNSMIL and the United Nations system for their efforts to support the transition of Libya, and I commend my Special Representative, Bernardino León, for his strong leadership and tireless efforts to bring Libyan political leaders to the table.

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